

**Before the  
Federal Communications Commission  
Washington, D.C. 20554**

<b>In the Matter of</b>	)	
	)	
<b>Improving Public Safety Communications in the 800 MHz Band</b>	)	<b>WT Docket No. 02-55</b>
	)	

**COMMENTS OF BOARD OF COUNTY SUPERVISORS OF PRINCE  
WILLIAM COUNTY, VIRGINIA IN SUPPORT OF PETITION OF THE  
COUNTY OF FAIRFAX, VIRGINIA, FOR WAIVER OF THE PROGRAM  
COMPLETION DATE**

Prince William County, Virginia submits these comments in support of the  
Petition of the County of Fairfax, Virginia, for Waiver of the Commission's June 26,  
2008, Program Completion Date for Rebanding the County's 800 MHz Channels  
("Fairfax County Petition"). The Fairfax County Petition was filed in the above-  
referenced docket on May 24, 2007.

**BACKGROUND**

Prince William County is authorized by the Commission under Part 90 of the  
Commission's Rules to operate an 800 MHz public safety voice radio network licensed  
under call signs WPHP905 and WPYJ864. This system is an eight-site, fifteen-channel  
trunked radio system. Additionally, Prince William County operates an 800 MHz  
conventional system licensed under call signs WPHP906 and WPYM561. These systems  
use frequencies allocated in the National Public Safety Planning Advisory Committee  
("NPSPAC") portion of the 800 MHz band. Prince William County must reband its  
systems pursuant to the Commission's Orders in this proceeding. As described more

fully in the Fairfax County Petition, Prince William County is one of the fourteen 800 MHz licensees in the Washington, D.C., metropolitan area that are interoperable with each other.<sup>1</sup> Over the past 20 years, these 14 National Capital Region (“NCR”) licensees have built one of the most advanced interoperable public safety voice radio environments in the United States. That interoperability will be disrupted unless the rebanding of those systems is coordinated with due care and reasonable planning. Prince William County has worked alongside Fairfax County and the other NCR jurisdictions for almost two years to determine how to reband as required by the Commission’s order in this proceeding while maintaining the interoperable communications that play a critical role in Prince William’s day-to-day responsibilities to protect the public and to respond to major incidents, disasters, terrorist attacks, and other large-scale emergency response situations

Prince William County is continuing with its planning efforts to implement rebanding and negotiating a Frequency Reconfiguration Agreement with Sprint Nextel. The current draft of the FRA draft includes “retuning cooperation” language that requires a waiver of the completion date if our schedule shows rebanding extending past June 2008. Because all parties that have assessed this issue have determined that the schedule will extend past June of 2008 because of the undeniable need to maintain current levels

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<sup>1</sup> These jurisdictions include Fairfax County, Virginia; Arlington County, Virginia; City of Alexandria, Virginia; Prince William County, Virginia; City of Manassas, Virginia; Fauquier County, Virginia; Loudoun County, Virginia; the District of Columbia; Montgomery County, Maryland; Frederick County, Maryland; Charles County, Maryland; Prince George’s County, Maryland; as well as the Metropolitan Washington Airports Authority, and the University of Maryland. They also include a number of independent jurisdictions that are not licensees themselves, but are subscribers on the trunked radio systems of the licensees listed above.

of interoperability in this region, we support the Fairfax petition to extend the completion date for Fairfax and all other NCR jurisdictions.

### **COMMENTS IN SUPPORT OF FAIRFAX COUNTY PETITION**

The Fairfax County Petition sought a waiver of the June 26, 2008, deadline for completion of reconfiguration by licensees that must reband pursuant to 47 C.F.R. § 90.677 and the Commission's Orders in this proceeding. Fairfax County asked the Commission to establish July 29, 2010, as the completion date for reconfiguration of the channels that the County is licensed to operate in the 1-120 channel range and the NPSPAC portion of the 800 MHz band.<sup>2</sup> Fairfax County petitioned only on its own behalf, but it observed that the Commission can act on its own motion and grant a waiver on behalf of all NCR jurisdictions. Fairfax County urged the Commission to do so and Prince William joins in that request.

Prince William County supports the Fairfax County Petition. Moreover, Prince William County agrees with Fairfax County's suggestion that the Commission should grant all NCR jurisdictions until July 29, 2010, to complete their retuning activities until a more accurate date for completion can be established by creation of the Final Master Schedule. The Preliminary Master Schedule that was the basis for the Fairfax County Petition includes the rebanding activities of all 14 of the NCR jurisdictions, including Prince William County. As the Fairfax County Petition explained, that schedule is high-

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<sup>2</sup> As Fairfax County made clear, July 29, 2010, is the date by which Fairfax County currently expects it can vacate its 800 MHz 1-120 band channels. Fairfax County cannot reband its 800 MHz channels in the NPSPAC band until the 1-120 band channels are vacated. However, the County cannot accurately determine now the dates by which it can vacate its 800 MHz 1-120 band channels. Therefore, the County stated that it will have to request a waiver again once the County has more definitive information.

level in nature and does not contain all of the detailed tasks required to safely and effectively reband the 800 MHz public safety radio systems in and around the NCR. However, it is the only schedule that currently covers the coordinated rebanding of interoperable 800 MHz public safety voice radio networks in the NCR. The final Master Schedule will not be generated until after execution of a Regional Planning and Coordination Agreement between the regional coordinator and Sprint Nextel, and then the execution of a contract between the regional coordinator and Motorola, Inc. As a result, the Preliminary Master Schedule is subject to change depending on how much time is consumed by the regional negotiations, when these contracts are finalized and executed, how and when Motorola can obtain scheduling information from the other NCR licensees, or other factors completely outside the control of Fairfax County or of Prince William County.<sup>3</sup>

Prince William County's system operates in the NPSPAC portion of the 800 MHz band, and therefore the FCC's extension of the Completion date to July 29, 2010, may not be sufficient time to enable Prince William County to complete its rebanding. However, the FCC's extension of the Completion Date for Fairfax County and for all NCR jurisdictions to July 29, 2010, will allow the NCR jurisdictions to continue the necessary regional coordination. Moreover, it will allow time for the development of the Master Schedule that will more accurately set out the rebanding schedule for the entire NCR.

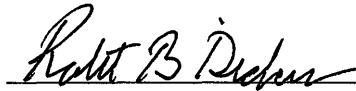
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<sup>3</sup> The Preliminary Master Schedule is based on the assumption that the contract between the regional coordinator and Motorola would be executed on April 16, 2007. That contract has not yet been executed. Therefore, the dates set out in the Preliminary Master Schedule already are at risk.

Respectfully submitted,

BOARD OF COUNTY SUPERVISORS OF  
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CERTIFICATE of SERVICE

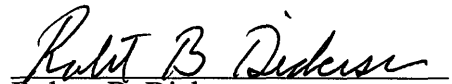
A copy of the foregoing was served electronically this 28<sup>th</sup> day of June, 2007  
upon:

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